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VIA ECFS

June 24, 2016

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: *Expanding Consumers' Video Navigation Choices*, MB Docket No. 16-42; *Commercial Availability of Navigation Devices*, CS Docket No. 97-80

Dear Ms. Dortch:

On June 16, 2016, representatives of a diverse group of multichannel video programming distributors (MVPDs) and other industry parties submitted an apps-based alternative approach to meeting the Commission's stated concerns in this proceeding that it adequately assure the commercial availability of navigation devices.¹

CenturyLink supports the coalition proposal.

At its core, it would establish a new requirement that larger MVPDs develop an app for delivering their MVPD service over smart TVs and other connected devices based on W3C's HTML5 Open Web Platform standards (or more advanced successor standards).² This app would include the full suite of the linear and on-demand programming the MVPD has the rights to include and would include the MVPD's user interface when using that service.³ At the same time, consumers would be able to use a manufacturer's distinctive user interface for a variety of functions – for example, to choose among multichannel services, online video services, and other device features.⁴ Or, to obtain combined search results from MVPD content and from online video providers offering licensed content on the same device.⁵

¹ Ex parte presentation from Paul Glist of Davis Wright Tremaine LLP to Marlene H. Dortch (FCC), *Expanding Consumers' Video Navigation Choices; Commercial Availability of Navigation Devices*, MB Docket No. 16-42, CS Docket No. 97-80 (Jun. 16, 2016).

² *Id.* at 2, Attachment.

³ *Id.*

⁴ *Id.*

⁵ *Id.* at Attachment.

Thus, as the Chairman has recognized, the coalition proposal accomplishes the Commission's "critical" goals in this proceeding – "third-party access to pay-TV content, integrated search and the protection of copyright, content security, consumer privacy and minority programmers. . . ." ⁶

The Commission should adopt the coalition proposal as an alternative to the "Information Flows" approach described in the Notice of Proposed Rulemaking (NPRM). ⁷

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this notice is being filed in the appropriate dockets.

/s/ Melissa Newman

cc (via electronic mail):

Jessica Almond
Eric Feigenbaum
Jonathan Sallet
John Williams
Scott Jordan
Marc Paul
Jennifer Thompson
David Grossman
Erin McGrath
Bill Lake
Michelle Carey

⁶ See reference to FCC Chairman Tom Wheeler and remarks by Kim Hart, Press Secretary, FCC Office of Media Relations, as quoted in "NCTA Pitches 'Ditch the Box' Set-Top Proposal", *Broadcasting & Cable* (online edition), June 16, 2016.

⁷ *Expanding Consumers' Video Navigation Choices, Commercial Availability of Navigation Devices*, MB Docket No. 16-42, CS Docket No. 97-80, Notice of Proposed Rulemaking and Memorandum Opinion and Order, 31 FCC Rcd 1544 (2016).